

ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "King Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated February 21, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

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IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this day of , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

William H. Dwight
AT-LARGE COUNCILOR

Jesse M. Adams
AT-LARGE COUNCILOR

Maureen T. Carney
WARD 1 COUNCILOR

Paul D. Spector
WARD 2 COUNCILOR

Ryan R. O'Donnell
WARD 3 COUNCILOR

Gina-Louise Sciarra
WARD 4 COUNCILOR

David A. Murphy
WARD 5 COUNCILOR

Marianne L. LaBarge
WARD 6 COUNCILOR

Alisa Klein
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on 2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this day of , 2014.

Pamela L. Powers
Clerk to City Council
City of Northampton, Massachusetts

EXHIBIT A

Beginning at a point, said point marks the southwesterly corner of a parcel, now or formerly Peter M. Shebek as described in a deed recorded in Book 1438 Page 120 of the Hampshire Registry District, said point being located on the northerly line of Bardwell Street, said point bearing N 88°16'37" W, a distance of 186.33 feet from an granite bound found, said point being the southeasterly corner of the parcel herein described, thence;

N 88°16'37" W along said Bardwell Street, a distance of 20.00 feet, to a point, said point marks the southeasterly corner of a parcel, now or formerly William S. Hogan III as described in a deed recorded in Book 10444 Page 263 of the Hampshire Registry District, said point being located on the northerly line of Bardwell Street, said point bearing S 88°16'37" E, a distance of 57.49 feet from an iron pipe found, said point being the southwesterly corner of the parcel herein described, thence;

N 01°43'23" E along said Hogan, land now or formerly John E. & Ruthann Mahoney as described in a deed recorded in Book 1637 Page 233, and land now or formerly John E. & Ruthann Mahoney as described in a deed recorded in Book 1091 Page 53, a distance of 301.06 feet to a point, said point marks the westerly side line of land now or formerly Michael B. Flynn as described in a deed recorded in Book 11431 Page 329, said point being the northwesterly corner of the parcel herein described, thence;

S 88°16'37" E through said Flynn, a distance of 20.00 to a point, said point being the northeasterly corner of the parcel herein described, thence;

S 01°43'23" W along said Flynn, land now or formerly Jason Benson & Elizabeth Royalty as described in a deed recorded in Book 9503 Page 35, and said Shebek, a distance of 301.06 feet to the point of beginning.

The above described parcel contains 6,021 square feet more or less, being depicted as King Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 02-21-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83.

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 10444, Page 263, Book 1637, Page 233, Book 1091, Page 53, Book 11431, Page 329, Book 9503, Page 35, Book 1438, Page 120.



CITY OF NORTHAMPTON, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
125 Locust Street
Northampton, MA 01060-2066

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Fax 413-587-1576

Edward S. Huntley, P.E.
Director

**REPORT AND RECOMMENDATION OF THE
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL**

On March 21, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **King Avenue**.

The Board of Public Works held a public hearing on April 27, 2013 and at its regular meeting on September 11, 2013 voted unanimously to recommend the acceptance of King Avenue as a public way.

Respectfully submitted
The Board of Public Works of the City of Northampton

A handwritten signature in black ink, appearing to read "Edward S. Huntley".

Edward S. Huntley, P.E.
Director of Public Works
August 13, 2014

cc: Northampton Board of Public Works
Northampton Planning Board